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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,193

09/29/2005

Richard M Miller

GB020143

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10/09/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

BEAMER, TEMICA M

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

10/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/526,193

Applicant(s)

MILLER, RICHARD M

Examiner

Temica M. Beamer

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11-14, 17-19, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 4 -10, 15, 16 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4 -10, 15, 16 and 20 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and/or cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 11-14, 17-19, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Adams et al (Adams), U.S. Patent No. 7,069,574.

Regarding claims 1, 17-19, 21 and 22, Adams discloses transmitting means for transmitting data packets in a wireless network, wherein at least some of the data packets are arranged to include clock data for use at a receiving means in the network for clock reconstruction at the receiving means, the transmitting means including processing means and operating system means connected to a network controller for

delivering the data packets to the network, wherein the transmitting means is arranged to identify packets arriving at the network controller (26) and which require clock data, and wherein the network controller is arranged to insert the clock data within the said identified packet prior to transmission of the packet (col. 3, lines 1-55; figure 1).

Regarding claim 2, Adams discloses transmitting means as defined in Claim 1 wherein the network controller is arranged to read a memory-mapped clock in order to obtain the clock reference data (figure 1).

Regarding claim 3, Adams discloses transmitting means as claimed in Claim 1 or 2 and arranged to insert clock reference data into packets that are to be resent over the network (col. 3, lines 1-55).

Regarding claim 11, Adams discloses receiving means for receiving signals delivered over a wireless network and which include packets with clock reference data from a transmitting means for reconstruction of a clock reference at the receiving means, the receiving means including a front end comprising a wireless network controller connected to operating system means, wherein the said front end is arranged to identify clock reference data in a packet and to synchronise a clock of the receiving means accordingly (col. 3, lines 1-55; figure 1).

Regarding claim 12, Adams discloses receiving means as claimed in Claim 11, wherein the clock is arranged to be set by means of the wireless network controller (figure 1).

Regarding claim 13, Adams discloses receiving means as claimed in Claim 11, wherein the clock is arranged to be set by means of the operating system (figure 1).

Regarding claim 14, Adams discloses receiving means as claimed in Claim 11, 12 or 13 and arranged to identify data entering a particular socket therein for identification of the clock reference data (col. 2, lines 33-47).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kallman et al, U.S. Patent No. 6,724,847, discloses a feed-forward synchronizer and methods of operation thereof.

Kim et al, U.S. Patent No. 6,501,743, discloses an apparatus and method of network synchronization in asymmetric two-way satellite communication system.

Straub et al, U.S. Patent No. 6,914,895, discloses a method for synchronization in a communication network and implementing appliances.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 9:00am-5:00pm.

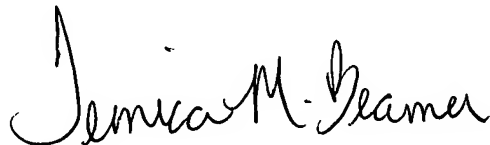
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Temica M. Beamer  
Primary Examiner  
Art Unit 2617

tmb

A handwritten signature in black ink, reading "Temica M. Beamer". The signature is fluid and cursive, with the first name "Temica" being more prominent and the last name "Beamer" following in a similar style.

TEMICA BEAMER  
PRIMARY EXAMINER